

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

F.A.O. No. 5511 of 2006 (O&M)

Date of Decision : February 20, 2007

Ashok Kumar

... Appellant.

Versus

ESI Corporation and another.

.. Respondents

CORAM : Hon`ble Mr. Justice Pritam Pal.

Present : Shri Arun Singal, Advocate,
for the appellant.

.. ..

PRITAM PAL , J. (Oral)

This appeal by Ashok Kumar, appellant, is directed against judgment dated 27.9.2006, whereby, his petition filed under Section 75 of the Employees State Insurance Act, 1948 (for short, “the Act”) against the demand of Rs. 2,52,398/-, raised on behalf of the respondent - ESI Corporation, Faridabad (hereinafter referred to as “the Corporation”) was dismissed, primarily on the ground that he (the appellant) had not deposited 50% of the recoverable amount, as required under Section 75(2B) of the Act.

During the pendency of this appeal also, the appellant was given an opportunity by this Court, vide order dated 19.1.2007 that he

should deposit the 50% of the recoverable amount, as required under Section 75 (2B) of the Act, within a period of one month. Here also, counsel for the appellant failed to comply with the aforesaid statutory provisions of the Act and the directions given by this Court vide order dated 19.1.2007. Even otherwise, learned counsel for the appellant could not make out any case, which could show any substantial question of law, involved in this appeal. Under Section 82 of the Act, it has been specifically laid down that an appeal shall lie to the High Court from an order of an Employees Insurance court, if it involves substantial question of law.

Thus, taking an over-all view of the facts and circumstances of this appeal, the same is hereby dismissed *in limine*.

February 20, 2007.
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[PRITAM PAL]
JUDGE